

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

SAMANTHA BUCHANAN, and STEVEN
BUCHANAN,

Plaintiffs,

vs.

MORTON SULLIVAN,

Defendant.

8:20-CV-301

ORDER

This matter is before the Court on Plaintiffs' Motion to Reinstate. [Filing 28](#). Plaintiffs ask the Court to reinstate and rule on the merits of their Motion for a Preliminary Injunction ([Filing 5](#)). [Filing 28](#). A day after the Court conducted a hearing on Plaintiffs' Motion for Preliminary Injunction, Plaintiffs advised the Court they had reached a tentative settlement agreement with Defendant. [Filing 24](#). The Court then denied the Motion for Preliminary Injunction as moot without reaching its merits "[i]n light of the parties' pending settlement." [Filing 27](#).

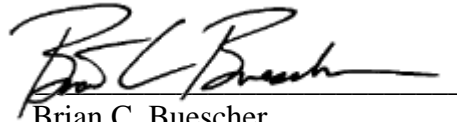
In response to the present Motion to Reinstate, Defendant suggests a settlement conference is most appropriate, but raises no objection to reinstating Plaintiffs' Motion for Preliminary Injunction. [Filing 30](#). Under [Federal Rule of Civil Procedure 60\(b\)\(6\)](#), the Court may grant relief from its previous order "on motion and just terms" for "any . . . reason that justifies relief." The Court finds relief from its previous order, [Filing 27](#), denying as moot Plaintiffs' Motion for Preliminary Injunction is justified by the parties' failure to settle the case in thirty days allotted to do so. Accordingly,

IT IS ORDERED:

1. Plaintiffs' Motion to Reinstate ([Filing 28](#)) is granted; and
2. Plaintiffs' Motion for Preliminary Injunction ([Filing 5](#)) is reinstated;

Dated this 14th day of January, 2021.

BY THE COURT:

A handwritten signature in black ink, appearing to read "B. C. Buescher", written over a horizontal line.

Brian C. Buescher
United States District Judge